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**BEFORE THE
PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against: Case No. 1D 2003 63424

JANE RAE PARR OAH No. L2003 050632
23201 Sylvan Street
Woodland Hills, CA 91367

A C C U S A T I O N

Physical Therapy License No. PT 11162

Respondent.

Complainant alleges:

PARTIES

1. Steven K. Hartzell (Complainant) brings this Accusation solely in his official capacity as the Executive Officer of the Physical Therapy Board of California, Department of Consumer Affairs (Board).

2. On or about September 30, 1982, the Board issued Physical Therapy License Number PT 11162 to JANE RAE PARR (Respondent). The Physical Therapy License was in full force and effect at all times relevant to the charges brought herein, except that, on June 2, 2003, in response to a Petition for Interim Suspension Order filed by Complainant, an interim order was issued placing numerous restrictions on Respondent=s license. Respondent=s

1 license will expire on August 31, 2004, unless renewed.

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3 **JURISDICTION**

4 3. This Accusation is brought before the Board under the authority of the
5 following laws. All section references are to the Business and Professions Code unless
6 otherwise indicated.

7 4. Section 2660 of the Code states:

8 AThe board may, after the conduct of appropriate proceedings under the
9 Administrative Procedure Act, suspend for not more than 12 months, or revoke, or impose
10 probationary conditions upon, or issue subject to terms and conditions any license, certificate, or
11 approval issued under this chapter for any of the following causes:



12 A[&] (h) Gross negligence in his or her practice as a physical therapist.

13 A(i) Conviction of a violation of any of the provisions of this chapter or of
14 the State Medical Practice Act, or violating, or attempting to violate, directly or
15 indirectly, or assisting in or abetting the violating of, or conspiring to violate any
16 provision or term of this chapter or of the State Medical Practice Act.@

17 5. Section 2234 of the Code states:

18 AThe Division of Medical Quality shall take action against any licensee who is
19 charged with unprofessional conduct. In addition to other provisions of this article,
20 unprofessional conduct includes, but is not limited to, the following:

21 A(a) Violating or attempting to violate, directly or indirectly, or assisting in or
22 abetting the violation of, or conspiring to violate, any provision of this chapter [Chapter
23 5, the Medical Practice Act].

24 A(b) Gross negligence.

25 A(c) Repeated negligent acts. . . .

26 A[&] (d) Incompetence.@

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1 patient, 6 months after his release from the hospital. He
2 was in rehab for gait training, strengthening of his
3 muscles, and adjustment to his new braces. Respondent was
4 told that this patient was not to have aquatic therapy.
5 Despite specific instructions to the contrary, Respondent
6 put Patient I.E. in a bathing suit and planned to take him
7 to the pool in a diaper with an open catheter. The pool had
8 no parallel bars or other support system for the patient.
9 Respondent stated that she planned to have Patient I.E. use
10 his braces for support, but the braces were new and the
11 patient could not use them well. The braces were also not
12 authorized for use in the water. Respondent did not prepare
13 a lift, or inquire as to whether one was available. She
14 instructed another employee to carry Patient I.E. down the
15 stairs to the pool. This plan subjected the patient and the
16 second employee to risk of injury. Respondent had to be
17 told more than once to discontinue this, and she seemed
18 unaware of the risks posed by this endeavor. When this was
19 discussed with Respondent, she denied her actions.

20 B. **Patient L.S.** This female patient had an injury
21 to both hands, which were immobilized when she first
22 presented for pain management care. Respondent should have
23 begun treatment with the lightest weights, and increased
24 gradually. Instead, Respondent started at an intermediate
25 level, causing increased inflammation and pain to the
26 patient.

1 C. **Patient P.S.** This male patient had a fracture
2 of the neck, and came to the Center post-operative fusion,
3 with screw plates. Respondent attempted to put this patient
4 in cervical traction, which could have resulted in further
5 injury to him.

6 D. **Providing Medical Information.** On several
7 occasions, Respondent attempted to provide medical
8 information to a patient. This type of information should
9 only be provided by the physician.

10 E. **General Demeanor and Professionalism.** Patients
11 complained that Respondent caused them discomfort and hurt
12 them. Patients skipped their exercises in order to keep
13 away from Respondent. Respondent was rude to patients and
14 to other staff members. She used a patient=s hair to pull
15 his head up. On another occasion, one patient was resting
16 on his back, lying in bed, when Respondent approached him
17 and, without any warning, Respondent pulled on his leg.
18 This patient has since complained of pain in this leg, which
19 had not bothered him before this incident. When questioned
20 about this conduct, Respondent said that she was attempting
21 to pull his pants down. There was no reason for her to pull
22 down his pants.

23 F. **Treatment Plans.** Respondent often changed the
24 treatment plan, without authority or consultation with other
25 staff or physicians, sometimes to the detriment of the
26 patient. Respondent used protocols that were too advanced

1 for the patient, causing pain and emotional discomfort.

2 G. **Charting.** Respondent=s charts were inappropriately
3 prepared, lacking diagnosis or treatment plans. She did not
4 appear to know how to develop goals of treatment.

5 Respondent also placed personal observations in the charts.

6 For example: A Patient sits in a wheelchair all day. What
7 else can he do?@ Her treatment plans are inappropriate.
8 She often takes documentation off premises, leaving staff
9 with no information on the patient.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(REPEATED NEGLIGENT ACTS)**

12 11. Respondent is subject to disciplinary action under sections 2660,
13 subdivision (i), and section 2234, subdivision (c), in that she committed repeated acts of
14 negligence in her care and treatment of patients. The circumstances are as follows:

15 12. The facts and circumstances set forth in paragraphs 10A-10G are
16 incorporated herein by this reference as though set forth in full.

17 **THIRD CAUSE FOR DISCIPLINE**

18 **(INCOMPETENCE)**

19 13. Respondent is subject to disciplinary action under sections 2660,
20 subdivision (i), and section 2234, subdivision (d), in that she committed acts of incompetence
21 with respect to the care and treatment of her patients. The circumstances are as follows:

22 14. The facts and circumstances set forth in paragraphs 10A-10G are
23 incorporated herein by this reference as though set forth in full.

24 **FOURTH CAUSE FOR DISCIPLINE**

25 **(FAILURE TO KEEP ADEQUATE RECORDS)**

26 15. Respondent is subject to disciplinary action under sections 2660,

1 subdivision (i), section 2620.7, and section 2266, in that she failed to keep proper and adequate
2 records of physical therapy treatments rendered to her patients.

3 16. The facts and circumstances set forth in paragraph 10G are incorporated
4 herein by this reference as though set forth in full.

5 **PRAYER**

6 WHEREFORE, Complainant requests that a hearing be held on the matters herein
7 alleged, and that following the hearing, the Physical Therapy Board of California issue a
8 decision:

9 1. Revoking or suspending Physical Therapy License Number PT 11162,
10 issued to JANE RAE PARR;

11 2. Ordering JANE RAE PARR to pay the Physical Therapy Board of
12 California the reasonable costs of the investigation and enforcement of this case, pursuant to
13 Business and Professions Code section 2661.5;

14 3. Taking such other and further action as deemed necessary and proper.

15 DATED: June 16, 2003

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18 Original signed by Steven K. Hartzell
19 STEVEN K. HARTZELL
20 Executive Officer
21 Physical Therapy Board of California
22 Department of Consumer Affairs
23 State of California
24 Complainant

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